

REMARKS

Entry of this Amendment is proper under 37 CFR §1.116, since no new claims or new issues are raised. The only claim amendments incorporate contents of dependent claim 2 into independent claims 12-14 and clarify the language of claim 15, thereby precluding the Examiner's interpretation of this claim as somehow being directed to "energy", in spite of the plain meaning of the claim language and the description in the specification.

Claims 1-15 are all the claims presently pending in the application.

It is noted that Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claim 15 stands rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. Claim 14 stands rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,953,050 to Kamata et al. Claims 1, 2, and 15 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over US Patent Application Publication No. 2004/0162877 to Van Dok et al, further in view of US Patent Application Publication No. 2004/0161090 to Digate et al. Claims 3-7, 9, and 10 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Van Dok/Digate, further yet in view of Kamata. Claims 8 and 11 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Van Dok/Digate, further yet in view of US Patent No 6,018,346. Claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Kamata, further in view of Digate.

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

As described in, for example, independent claim 1, the claimed invention is directed to a method of providing a composite data feed for an online meeting. The method comprises at least one of providing a capability for at least one participant node in the online meeting to input a layout rule for a customized composite image of the online meeting to be seen specifically at the at least one participant node, and receiving a layout rule defining a composite image of the online meeting that can be customized for at least one participant node in the online meeting.

As described beginning at line 18 of page 1, the conventional methods lack an effective mechanism that takes the audio and video feeds from the multiple users of an online

meeting, combines them and returns a composite image to each participant, where each participant potentially can specify their own composite layout arrangement rules.

The claimed invention, on the other hand, provides a customized composite image of an online meeting.

II. THE 35 USC §101 REJECTION

Claim 15 stands rejected under 35 U.S.C. §101 as allegedly directed toward non-statutory subject matter. Applicants' representative remains completely baffled at the recent spate of statutory subject matter rejections, wherein the USPTO improperly declares claimed inventions as either "energy", an "abstract idea", or other non-statutory classification, without any factual basis whatsoever in either the claim language or the disclosure. As Applicants explained in their previous response, the description in the specification relates to storage of computer instructions, not the transmission of those instructions, and any reliance by the Examiner on this wording is clearly and improperly taking one or two words out of the context of the remainder of the sentence.

However, in an effort to expedite prosecution, Applicants have amended claim 15 to incorporate the word "storage" to thereby preclude the Examiner's out-of-context interpretation.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. THE PRIOR ART REJECTIONS

The Examiner alleges that Kamata teaches the claimed invention described by claim 14 and, when further modified by Digate, renders obvious claims 12 and 13. The Examiner also alleges that Van Dok, when modified by Digate, renders obvious claims 1, 2, and 15, and, when further modified by Kamata, renders obvious claims 3-7, 9, and 10, and, when further modified by Moran, renders obvious claims 8 and 11.

Applicants again submit, however, that there are elements of the claimed invention which are neither taught nor suggested by Kamata or Van Dok, even if modified by the prior art currently of record.

The Rejections Based on Kamata

More particularly, relative to the rejections based on Kamata, although this reference provides a capability for each terminal to control its display contents, there is no suggestion

in Kamata to use the method of the present invention of having “user-specified rules”, as that term is described in the present application at, for example, line 18 of page 13 through line 10 of page 15.

Thus, as explained at lines 21-22 of page 13, each layout rule might be of the form “*(Condition) (Layout Specification)*”, so that the user’s layout rules comprise a Boolean combination of conditions, as described in dependent claim 2 (newly-incorporated into independent claim 14, in an attempt to expedite prosecution). There is no suggestion that the user’s selection in Kamata uses such a format.

The most that would seem reasonably descriptive in Kamata relative to the user’s directions for contents of the received composite signal would seem to be the description at line 64 of column 9 through line 4 of column 10:

“In FIG. 7, by each select memory 46 storing select data as to which input the corresponding selector 47 is to select pixel by pixel, each of the n image combining units 35 is allowed to produce a different composite image and send it to the corresponding terminal. Thus, each individual participant in the conference can specify only the participants he or she wants to see, and optionally specify the arrangement of their images in the composite image.”

Therefore, Applicants again point out that, although the mechanism in Kamata, as described above, may indeed permit each user to make customized selections, this mechanism is clearly not using the layout rules described in the present application, as partially described above. Rather, the selection in Kamata is merely a controlling which of the n images are forwarded to each user terminal. This is a different concept from that of using “layout rules”, as defined in the present application.

However, in an attempt to expedite prosecution, Applicants have added the description of dependent claim 2 into independent claim 14, to clarify how “layout rules” of the present invention is distinguished from the switch selection mechanism described in Kamata.

Hence, turning to the clear language of the claims, in Kamata there is no teaching or suggestion of: “...wherein at least one of a size and a layout of subpanes of the composite image are controlled by user-specified rules, said layout rules comprising a Boolean combination of conditions”, as required by independent claim 14. Independent claims 12 and 13 have been amended to include similar language.

Moreover, relative to the rejection for claims 12 and 13, Applicants again point out that secondary reference Digate has nothing to do with layout rules. That is, the rules from Digate et al. describe how information is to be delivered (e.g., IM), not how it is to be displayed (e.g., laid out in the display). There is no description whatsoever regarding layout, thus, it would not be obvious to generalize Kamata to cover layout, based on secondary reference Digate.

Therefore, even if secondary reference Digate were to be incorporated into primary reference Kamata, the combination would not provide all the elements of these claims.

Therefore, there are clearly elements of the claimed invention that are not present in Kamata, and Applicants respectfully submit that claims 12-14 are clearly patentable over Kamata.

The Rejections Based on Van Dok

Relative to the rejection for claims 1, 2, and 15, Applicants again respectfully submit that this reference is not reasonably related to the claimed invention. As Applicants previously explained, the term “composite” is defined differently in Van Dok from the meaning in the present application. Van Dok allows a user to reformat the text (and graphic images like the icon “:-)”) presented in an interleaved composite image. No facility is given for specifying how to display feeds in separate subpanes. That is, all of one user's input in a 2" x 2" window, located in the top left hand corner of the overall composite image; with all of the second user's input displayed in smaller window, located in the bottom right.

Further, the rules from Digate et al. describe how information is to be delivered (e.g., IM), not how it is to be displayed. There is no description whatsoever regarding layout, thus, it would not be obvious to generalize Van Dok to cover layout, based on secondary reference Digate.

In the Examiner's response on page 25, the Examiner states: “*How the specification defines “composite” does not make these claims allowable.*”

In response, Applicants respectfully submits that the claim language itself distinguishes from the technique of primary reference van Dok. That is, as clearly described in even the abstract, van Dok is related to a real-time communication such as instant messaging. It does not relate to a video meeting environment such as described in the present application.

This difference shows up in the claim language of the independent claims. For

example, in van Dok there is nothing corresponding to "...layout rule for a customized composite image of said online meeting", as required by independent claim 1. There is no image of the online meeting being presented in van Dok, since only users' text messages are displayed in this reference. Even if the display of the text messages of van Dok were to be considered as a composite image of the session, there are no layout rules in van Dok. The examples given by the Examiner concern font selections and content of the messages, which would not qualify as "layout rules", even in a broad interpretation of this term.

Therefore, even if secondary reference Digate were to be incorporated into primary reference Van Dok, the combination would not provide all the elements of these claims.

Moreover, relative to the rejection for claim 2, the conditions shown in Figure 9 of Digate are not "layout rules", as described in the specification, for example, at lines 7-8 of page 9, referring to layout rules in the subsequent discussion for Figures 8 through 11.

Relative to the rejection for claims 3-7, 9, and 10, Van Dok et al. do not provide a way to control subpane layout, only interleaved content formatting. Further (re: page 10) Kamata et al. allow a user to "select", but nowhere are any sort of "layout based rules" described, either in the abstract, or column 2, ,lines 31-41; only selection from a predefined of size and location choices. Thus it would not have been obvious to generalize Kamata et al. to cover a method which does include the specification of layout rules.

Relative to the rejection for claim 4, Van Dok et al. Fig 6a 604 is an input field, not a display window showing a feed from one ore more remote users; AND the size of this pane is not controlled by a rule, since the rules of Van Dok et al. concern delivery, not display layout.

Relative to the rejection for claim 7, the information shown in Figure 4 of Kamata makes no suggestion of a calculation of layout rules.

Relative to the rejection for claim 8, the information shown in Figure 4 of Digate makes no suggestion of a periodic checking of layout rules.

Relative to the rejection for claim 9, the cited text from Van Dok et al. does not cover the case where the number of text or video feeds is a used as a parameter.

Relative to the rejections for claim 11, as explained above for claim 1, the term "composite" is defined differently in Van Dok from the meaning in the present application. Van Dok allows a user to reformat the text(and graphic images like :-)) presented in an interleaved composite image. No facility is given for specifying how to display feeds in separate subpanes, and secondary reference Digate describes, at most, how information is to

be delivered (e.g., IM), not how it is to be displayed. There is no description whatsoever regarding layout, so that Digate does not overcome this fundamental deficiency of primary reference Van Dok.

Therefore, Applicant submits that there are elements of the claimed invention that are not taught or suggested by Van Dok, and the Examiner is respectfully requested to withdraw these rejections.

IV. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-15, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,



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CERTIFICATION OF TRANSMISSION

I certify that I transmitted via EFS this Amendment under 37 CFR §1.116 to Examiner K. Balani on August 18, 2008.



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